

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:) CHAPTER 13
)
BENJAMIN CHARLES GRAVES,) CASE NO. 16-57985-JRS
)
Debtor.)

**NOTICE OF FILING OF MODIFICATION OF CONFIRMED PLAN,
DEADLINE FOR FILING WRITTEN OBJECTIONS,
AND HEARING DATE AND TIME IF OBJECTION IS TIMELY FILED**

TO: Creditors and Other Parties in Interest:

PLEASE TAKE NOTICE that Debtor has filed a proposed modification to the confirmed plan in this case, a copy of which modification you are receiving with this Notice or have received by mail. Pursuant to Rule 3015(g) of the Federal Rules of Bankruptcy Procedure, any creditor or other party in interest opposing this proposed Modification must file that objection in writing with the Court before the following deadline.

DEADLINE FOR FILING OBJECTION: Twenty-four (24) days after the date on which this proposed Modification was filed. The proposed modification was filed on March 28, 2017. If the twenty-fourth day after the filing falls on a week-end or holiday, the deadline is extended to the next business day.

PLACE OF FILING: Clerk, United States Bankruptcy Court
75 Ted Turner Drive
Atlanta, GA 30303

If you mail an objection to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above. You must also serve a copy on the undersigned at the address stated below and on the Debtor at:

The Semrad Law Firm, LLC
Attn: Jonathan Proctor
Sterling Point II
303 Perimeter Center North, Ste. 201
Atlanta, Georgia 30346

Benjamin Charles Graves
6694 Charles Dr.
Morrow, GA 30260

PLEASE TAKE FURTHER NOTICE that if an objection to the proposed Modification is timely filed, **the Court will hold a hearing on the modification on April 25, 2017 at 10:15AM in Courtroom 1404, U.S. Courthouse. 75 Ted Turner Drive, Atlanta, Georgia.** If no objection is timely filed, the Court may approve the proposed modification without further notice or hearing.

Dated: March 28, 2017

/s/

Jonathan Proctor
GA Bar No. 890603
The Semrad Law Firm, LLC
Sterling Point II
303 Perimeter Center North, Ste. 201
Atlanta, Georgia 30346
(678) 668-7160
Attorney for the Debtor
atlcourtdocs@gmail.com

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**POST-CONFIRMATION MODIFICATION OF PLAN AND
REQUEST FOR APPROVAL**

COMES NOW Debtor, Benjamin Charles Graves, by and through undersigned counsel, and move this Honorable Court for the entry of an order modifying the Chapter 13 Plan post-confirmation. In support thereof the Debtor states as follows:

1.

Debtor filed a Voluntary Petition for Bankruptcy relief under Title 11, Chapter 13 of the United States Code on May 4, 2016. The Chapter 13 Plan was confirmed on December 19, 2016.

2.

Debtor hereby modifies paragraph 2 of the Chapter 13 Plan, as follows:

2. **Plan Payments and Length of Plan.** Debtor will pay the sum of ~~\$3,500.00~~ **\$970.00 Monthly (effective December 2016)** to Trustee by ☐ Payroll Deduction(s) or by ☒ Direct Payment(s) for the applicable commitment period of **36** months, unless all allowed claims in every class, other than long-term claims, are paid in full in a shorter period of time. The term of this Plan shall not exceed sixty (60) months. See 11 U.S.C. §§ 1325(b)(1)(B) and 1325(b)(4). Each pre-confirmation plan payment shall be reduced by any pre-confirmation adequate protection payment(s) made pursuant to Plan paragraph 6(A)(i) and § 1326(a)(1)(C).

The following alternative provision will apply if selected:

☒ IF CHECKED, Plan payments will ~~decrease to \$ 801.00 in month Dec 2016 upon completion or termination of payments to City of Philadelphia.~~

☒ IF CHECKED, Plan payments will **increase by \$ 150.00 in month Dec 2016 June 2017** upon completion or termination of **Aarons Lease**.3.

Debtor hereby modifies paragraph 10(A) of the Chapter 13 Plan, as follows:

[signatures on following page]

Dated: March 28, 2017

/s/
Benjamin Charles Graves

/s/
Jonathan Proctor
GA Bar No. 890603
The Semrad Law Firm, LLC
Sterling Point II
303 Perimeter Center North, Ste. 201
Atlanta, Georgia 30346
(678) 668-7160
Attorney for the Debtor